

make a recommendation to the mayor or the manager regarding a person over which the mayor or manager has jurisdiction.

Section 11. Section **10-3b-704** is enacted to read:

10-3b-704. Manager -- Powers and duties.

Except as provided in Subsection 10-3b-103(7)(b)(iii), a municipal manager in a municipality that operates under the council-manager form of government shall:

(1) execute and enforce all applicable laws, ordinances, rules, and regulations for the municipality;

(2) ensure that a person observes the terms of a franchise, lease, permit, contract, license, or privilege that the municipality grants to the person;

(3) implement the policies and programs that the council establishes;

(4) organize and direct the executive affairs of the municipality in a manner that is consistent with this chapter and the municipality's ordinances;

(5) if the municipality is a city, appoint a budget officer to comply with the requirements of Chapter 6, Uniform Fiscal Procedures Act for Utah Cities;

(6) appoint, with the council's advice and consent, a qualified person to each of the following:

(a) in a city, the offices of recorder, treasurer, engineer, and attorney; or

(b) in a town, the offices of treasurer and clerk;

(7) create any other offices that the manager determines is necessary for the municipality's good governance;

(8) regulate and prescribe the powers and duties of an unelected officer of the municipality, except as provided by law or by ordinance;

(9) inspect the records of, investigate the actions of, and require reports from, an office, department, agency, board, or commission of the municipality;

(10) except as provided in Chapter 3, Part 10, Civil Service Commission, appoint, ~~with~~ **the council's advice and consent,**

suspend, or remove the head of a municipal office, department, or agency:

~~with~~ **[(a) with the council's advice and consent,**

~~(b)]~~ **(a)** in accordance with the provisions of this part and Chapter 3, Municipal Government; and

~~(c)]~~ **(b)** in accordance with municipal ordinance;